



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gerald J. Hanam

Attorney Docket No.: SUN1P438/P3557

Application No.: 09/206,097

Examiner: Pizzaro, R.

Filed: December 4, 1998

Group: 2661

Title: SYSTEM AND METHOD FOR
FACILITATING DISCOVERY OF NETWORK
ADDRESSES AND SELECTED
CHARACTERISTICS OF COMPUTER
SYSTEMS AND THE LIKE WHICH ARE
CONNECTED IN DIGITAL DATA
NETWORKS

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CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered to:
Commissioner for Patents 2011 South Clark Place, Customer Window,
Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202 on

February 7, 2005
Signed: Annette Masello

PETITION TO WITHDRAW A HOLDING OF ABANDONMENT – NOTICE OF
ALLOWANCE NOT RECEIVED
37 CFR 1.181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

The Applicant hereby petitions to withdraw the holding of abandonment in the above referenced case, on the basis that the Notice of Allowance forming the basis of the abandonment was not received.

On January 14, 2005 we conducted a status check for the above referenced application by checking the PAIR record. At that time we first learned that a Notice of Allowance for the above-referenced application was apparently mailed on June 1, 2004. At the same time, we first learned that the case was abandoned. After investigating the matter, it is my understanding and belief that the Notice of Allowance, mailed on June 1, 2004, was never received by our office.

A Notice of Abandonment for failure to pay an issue fee was apparently mailed on January 13, 2005. The Notice of Abandonment was received in our office on January 18, 2005.

It is our belief that the Notice of Allowance was mailed to the wrong address. Specifically, on May 6, 2004, we filed a Power of Attorney by Assignee and Revocation of Previous Powers. This new power also included a Change of Correspondence Address. A copy of that Power of Attorney is enclosed herewith. We also enclose a copy of our return receipt postcard, that accompanies the Power of Attorney, which bears a PTO received date stamp of May 10, 2004 (which was approximately three weeks before the mailing of the Notice of Allowance).

After realizing the case was abandoned, we contacted the Examiner who forwarded us a copy of the Notice of Allowability on January 27, 2005. However, he was unable to forward a

copy of the Form PTOL-85. Accordingly, we had an Associate obtain a copy of the Form PTOL-85. We received this copy on February 3, 2005. Upon review of the Notice of Allowance it can be seen that the Notice was not mailed to our offices. Rather it was mailed to a prior attorney of record, whose powers had been revoked in the papers filed on May 10, 2004.

In the late August or early September 2004 timeframe we attempted to check the status of the above referenced application. At that time we were unable to access PAIR to check the status of the application. We learned that this was due to the fact that the Power of Attorney/Change of Correspondence address had not yet been entered into the system. Accordingly, on September 2, 2004 we faxed a copy of the previously filed Power of Attorney to the Patent Office, together with a copy of the return receipt postcard showing that the Power of Attorney/Change of Correspondence address had been filed on May 10, 2004. Based on the PAIR record, it appears that this paper was not entered into the file until December 28, 2004.

In response to the Notice of Allowance, we are enclosing a form PTOL-85 Issue Fee Transmittal together with the required fees. Accordingly, it is believed that this case is now in condition to pass to issue.

If for any reason this Petition to Withdraw a Holding of Abandonment is refused, please consider this a Petition to Revive an Unavoidably Abandoned Application and charge any additional required fees to our Deposit Account No. 50-0388.

If for any reason both the Petition to Withdraw a Holding of Abandonment and the Petition to Revive an Unavoidably Abandoned Application are refused, please consider this a Petition to Revive an Unintentionally Abandoned Application and charge any additional required fees to our Deposit Account No. 50-0388. The undersigned states that the abandonment of this application was entirely unintentional.

Based on the foregoing and the fact that the Notice of Allowance was never received by our office (which should have been the correspondence address at the time the Notice of Allowance was mailed), it is respectfully submitted that the holding of abandonment should be withdrawn and that a new Notice of Allowance should be mailed that provides a new period for response.

If any fees are required for filing this Petition to Withdraw a Holding of Abandonment under 37 CFR 1.181, please charge such fees to our Deposit Account No. 50-0388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Steve D Beyer
Registration No. 31,234

P.O. Box 70250
Oakland, CA 94612-0250



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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

06/01/2004

ROBERT M. ASHER
BROMBERG & SUNSTEIN L.L.P.
125 SUMMER STREET
BOSTON, MA 02110-1618

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/206,097	12/04/1998	GERALD J. HANAM	P3557	5046

TITLE OF INVENTION: SYSTEM AND METHOD FOR FACILITATING DISCOVERY OF NETWORK ADDRESSES AND SELECTED CHARACTERISTICS OF COMPUTER SYSTEMS AND THE LIKE WHICH ARE CONNECTED IN DIGITAL DATA NETWORKS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	09/01/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
PIZARRO, RICARDO M	2661	370-254000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Beyer Weaver & Thomas, LLP

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Sun Microsystems, Inc.

Santa Clara, CA

Please check the appropriate assignee category or categories (will not be printed on the patent):

☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 03

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge ~~XXXXXXXXXX~~ any deficiencies Deposit Account Number 50-0388 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Steve D Beyer Reg. No. 31,234 02/04/05

02/08/2005 SDENB082 00000087 09206097

01 FC:1501

02 FC:0001

1400.00 SP

9.00 SP

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

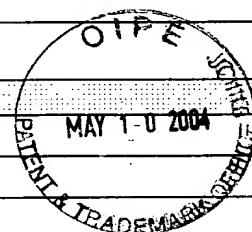
TRANSMIT THIS FORM WITH FEE(S)



Docket #	SUN1P438	By	SDB/scz	Date of this mailing	May 6, 2004
Appl'n #	09/206,097	Filing Date	Dec. 4, 1998	Express Mail #	
Inv(s)	HANAM, Gerald J.				
Title	SYSTEM AND METHOD FOR FACILITATING DISCOVERY OF NETWORK ADDRESSES AND SELECTED CHARACTERISTICS OF COMPUTER SYSTEMS AND THE LIKE WHICH ARE CONNECTED IN DIGITAL DATA NETWORKS				

The following have been received in the U.S. Patent Office on the date stamped hereon:

Item	Description	# Pgs
1.	Power of Attorney by Assignee and Revocation of Previous Powers	2
2.	copy of Assignment	2
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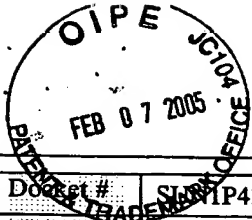
BEYER WEAVER & THOMAS, LLP
SEEN/CONFIRMED
BY DOCKETING DEPT.
DATE: 5-10-04 BY: MT

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Docket #	SLNIP438	By	SDB/scz	Date of this mailing	May 6, 2004
Appl'n #	09/206,097	Filing Date	Dec. 4, 1998	Express Mail #	
Inv(s)	HANAM, Gerald J.				
Title	SYSTEM AND METHOD FOR FACILITATING DISCOVERY OF NETWORK ADDRESSES AND SELECTED CHARACTERISTICS OF COMPUTER SYSTEMS AND THE LIKE WHICH ARE CONNECTED IN DIGITAL DATA NETWORKS				

The following have been received in the U.S. Patent Office on the date stamped hereon:

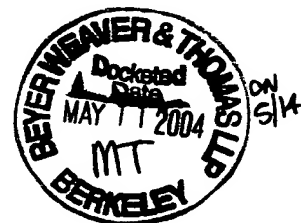
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In re application of: Gerald J. Hanam

Application No.: 09/206,097

Filed: December 4, 1998



Attorney Docket No.: SUN1P438/P3557

Examiner: Unassigned

Group: Unassigned

Title: SYSTEM AND METHOD FOR
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ADDRESSES AND SELECTED
CHARACTERISTICS OF COMPUTER SYSTEMS
AND THE LIKE WHICH ARE CONNECTED IN
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I hereby certify that this correspondence is being deposited with the U.S.
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in an envelope addressed to the
Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

**POWER OF ATTORNEY BY ASSIGNEE
AND REVOCATION OF PREVIOUS POWERS**

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Alexandria, VA 22313-1450

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Sir:

Sun Microsystems, Inc., ("assignee"), a Delaware corporation having a place of business 4120 Network Circle, Santa Clara, CA 95054, certifies that to the best of assignee's knowledge and belief it is the assignee of the entire right, title, and interest in and to the above-referenced patent application and represents that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Assignee has reviewed the assignment document that evidences the placement of title in the assignee, a true and correct copy of which is attached hereto, and understands and believes that this assignment document has been submitted for recordation in the U.S. Patent and Trademark Office.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints the law firm of Beyer Weaver & Thomas, LLP and all practitioners who are associated with the Customer Number 022434 as principal

SUN1P438/P3557

attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

Customer Number 022434
BEYER WEAVER & THOMAS, LLP
P.O. Box 778
Berkeley, CA 94704-0778

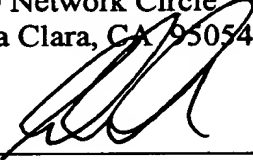
Please direct any calls to **Steve D Beyer** (650) 961-8300.

Assignee of Interest:

Sun Microsystems, Inc.
4120 Network Circle
Santa Clara, CA 95054

Date

4/29/2004



Name: Arien C. Ferrell
Title: Patent Counsel

ASSIGNMENT

Whereas, I,

Gerald J. Hanam, 17 Fairbrook Road, Framingham, MA 01701,

have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled "System And Method For Facilitating Discovery Of Network Addresses And Selected Characteristics Of Computer Systems And The Like Which Are Cconnected In Digital Data Networks," which application was filed on December 4, 1998, as U.S. Application Serial No. 09/206,097;

Whereas Sun Microsystems, Inc., a corporation having a place of business at 901 San Antonio Road, Palo Alto, CA 94303 and who, together with its successors and assigns is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer and convey to Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in my name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

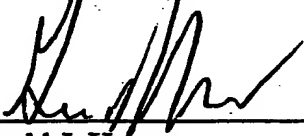
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;

4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to Assignee without encumbrance;

5. Bind my heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely

as the same could have been held and enjoyed by me, my heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to me relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in my control or in the control of my heirs, legal representatives or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which I have signed my name below, on the date indicated.



Gerald J. Hanam
Inventor

7/19/99

Date